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JUL 09 2002

**GROUP 1600****FAX COVER SHEET**

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TO: Fax No. **(703) 308-4242****OFFICIAL****PLEASE DELIVER THE FOLLOWING PAGES TO:**

Name: Examiner James O. Wilson  
Location: United States Patent and Trademark Office  
Washington, D.C. 20231  
Phone: (703) 308-4735


RE: Klaas POELSTRA et al.  
U.S. Patent Application No. 09/868,585 Filed: July 26, 2001  
National Phase of International Application No. PCT/NL98/00722  
Dated: December 21, 1998  
"DIAGNOSIS OF SEPSIS USING THE LPS-BINDING MOIETY OF  
ALKALINE PHOSPHATASE Attorney Docket No. POELSTRA

FROM: Roger Pitt, Patent Agent Fax No.: (203) 838-8794  
DATE: July 8, 2002 TIME: \_\_\_\_\_

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**COMMENTS:**

Please enter the accompanying Election.

Respectfully submitted,  
  
Roger Pitt  
Reg. No. 46,996

**PLEASE HAND CARRY TO EXAMINER JAMES O. WILSON**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of

Applicant: Klaas POELSTRA et al. :

Attorney Docket No.:

POELSTRA

Serial No.: 09/868,585 :

GAU: 1645

Filed: July 26, 2001 :

Examiner: James O. Wilson

For: "DIAGNOSIS OF SEPSIS USING  
THE LPS-BINDING MOIETY OF  
ALKALINE PHOSPHATASE" :

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July 8, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231**ELECTION**

S I R:

Pursuant to the requirement in the outstanding Office Action dated May 7, 2002, Applicant hereby elects the invention of Group I, Claims 1-23 and 36 drawn to a method of diagnosing endotoxemia or sepsis, *with traverse*.

**REMARKS**

Traverse is on the ground that the claims do in fact relate to a single general inventive concept under PCT Rule 13.1. The Office argues that Group IV lacks novelty and therefore the other claims are not so linked by a special technical feature within the meaning of PCT Rule 13.2 as to form a single inventive concept. Applicant respectfully disagrees. Claim 24 calls for, *inter alia*, "instructions for carrying out an assay according to Claim 1." Thus, Claim 24 in fact incorporates the special technical features of Claim 1